

**UNITED STATES DISTRICT COURT
DISTRICT OF NEW HAMPSHIRE**

Karen Testerman, et al, *

*

Plaintiffs, *

v. *

Civil No. 1:23-cv-00499-JL-AJ

*

Secretary of State David M. Scanlan, et al, *

*

Defendants. *

*

**SECRETARY OF STATE’S OBJECTION TO
PLAINTIFF TESTERMAN’S MOTION TO ALTER OR AMEND JUDGMENT**

The Defendant, New Hampshire Secretary of State David M. Scanlan (the “Secretary of State”), through his counsel, the New Hampshire Office of the Attorney General, objects to Plaintiff Testerman’s motion to alter or amend judgment, see ECF 73.

1. On January 9, 2024, the Court dismissed the Plaintiffs’ complaint, ruling that the Plaintiffs lacked Article III standing to maintain their claims. See ECF 67.
2. On January 26, 2024, Plaintiffs Briggs and Saya filed a “motion to alter or amend judgment.” See ECF 70.
3. On January 30, 2024, the Secretary of State objected to Plaintiffs Briggs’ and Saya’s motion to alter or amend judgment. See ECF 71.
4. On February 6, 2024, Plaintiff Testerman filed a motion to alter or amend judgment. See ECF 73.
5. Plaintiff Testerman’s motion was identical in substance to the motion to alter or amend judgment that Plaintiffs Briggs and Saya previously filed. Compare ECF 70, with ECF 73.

6. The Secretary of State hereby objects to Plaintiff Testerman's motion to alter or amend judgment, for the reasons the Secretary of State previously articulated in his objection to Plaintiffs Briggs' and Saya's motion to alter or amend judgment.

A. Deny Plaintiff Testerman's motion to alter or amend judgment.

Respectfully submitted,

Secretary of State David M. Scanlan

By his attorney,

THE OFFICE OF THE ATTORNEY GENERAL

Dated: February 14, 2024

/s/ Brendan A. O'Donnell

Brendan A. O'Donnell, Bar #268037

Assistant Attorney General

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CERTIFICATE OF SERVICE

I hereby certify that a copy of the foregoing was sent by ECF on February 14, 2024, to all parties of record. I hereby certify that a copy of the foregoing was sent by e-mail to all parties of record who are not registered ECF filers.

/s/ Brendan A. O'Donnell

Brendan A. O'Donnell